

Calendar No. 602

108TH CONGRESS
2D SESSION**H. R. 1648****[Report No. 108–287]**

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2003

Received; read twice and referred to the Committee on Energy and Natural
Resources

JUNE 25, 2004

Reported by Mr. DOMENICI, without amendment

AN ACT

To authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Carpinteria and
5 Montecito Water Distribution Systems Conveyance Act of
6 2003”.

1 **SEC. 2. CONVEYANCE OF WATER DISTRIBUTION SYSTEMS**
2 **OF THE CACHUMA PROJECT, CALIFORNIA.**

3 (a) IN GENERAL.—The Secretary of the Interior—

4 (1) may convey to the Carpinteria Valley Water
5 District, located in Santa Barbara County, Cali-
6 fornia, all right, title, and interest of the United
7 States in and to the Carpinteria Distribution System
8 of the Cachuma Project, California, consistent with
9 the terms and conditions set forth in the agreement
10 entitled “Agreement Between the United States and
11 the Carpinteria Valley Water District to Transfer
12 Title to the Federally Owned Distribution System to
13 the Carpinteria Valley Water District” (Agreement
14 No. 00–XC–20–0364); and

15 (2) may convey to the Montecito Water Dis-
16 trict, located in Santa Barbara County, California,
17 all right, title, and interest of the United States in
18 and to the Montecito Water Distribution System of
19 the Cachuma Project, California, consistent with the
20 terms and conditions set forth in the agreement en-
21 titled “Agreement Between the United States and
22 the Montecito Water District to Transfer Title to
23 the Federally Owned Distribution System to the
24 Montecito Water District” (Agreement No. 01–XC–
25 20–0365).

1 (b) LIABILITY.—Effective upon the date of convey-
2 ance of a distribution system under this section, the
3 United States shall not be held liable by any court for
4 damages of any kind arising out of any act, omission, or
5 occurrence relating to the distribution system, except for
6 damages caused by acts of negligence committed by the
7 United States or by its employees or agents prior to the
8 date of conveyance. Nothing in this section increases the
9 liability of the United States beyond that provided in chap-
10 ter 171 of title 28, United States Code (popularly known
11 as the Federal Tort Claims Act) on the date of the enact-
12 ment of this Act.

13 (c) BENEFITS.—After conveyance of a water distribu-
14 tion system to the Carpinteria Valley Water District or
15 the Montecito Water District under this section—

16 (1) such water distribution system shall not be
17 considered to be a part of a Federal reclamation
18 project; and

19 (2) such water district shall not be eligible to
20 receive any benefits with respect to any facility com-
21 prising that distribution system, except benefits that
22 would be available to a similarly situated person
23 with respect to such a facility that is not part of a
24 Federal reclamation project.

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